

PLANNING AND ZONING COMMISSION
Monday May 14, 2007 – MINUTES – Regular Session

Call to Order: Time In: 7:00 p.m.

The Planning and Zoning Commission of the Village of Canal Winchester met on the above date for a regular session and was called to order by Mr. Christensen.

Roll Call

Present: Mr. Christensen, Mr. Graber, Ms. Solomon and Mr. Vasko. Mr. Graber made a motion to excuse Mr. Wynkoop, Mr. Harper and Mr. McCoy. Mr. Vasko seconded the motion. The motion passed unanimously.

Approval of Minutes

Because a quorum was not present to adopt the April 9 and April 18 minutes, Mr. Christensen stated this item will be delayed until later in this meeting.

At the end of the pending applications, Mr. McCoy made a motion to approve the minutes of the April 9, 2007 regular meeting. Mr. Vasko seconded the motion. Voting yes were Mr. Christensen, Mr. McCoy, Mr. Vasko and Ms. Solomon. Mr. Graber abstained. The motion passed 4-0-1.

Mr. Vasko made a motion to approve the minutes of the April 18, 2007 work session meeting. Mr. McCoy seconded the motion. Voting yes were Mr. Christensen, Mr. McCoy, Mr. Vasko and Ms. Solomon. Mr. Graber abstained. The motion passed 4-0-1.

Public Comment

There were no comments.

Administer of Public Oath

Mr. Christensen administered the public oath.

Public Hearings

Applications #VA-07-08 The property owners, Eric and Wendy Rohaly, located at 7326 Bromfield Drive. The applicant, Paul Rauchenstein of Backyard City Pools and Spas, is requesting a variance to Section 1157.04 (a) (2) regarding maximum lot coverage. Andrew Dutton, Zoning Officer, gave the staff report. Mr. Rauchenstein was present to answer questions from the Commission.

Mr. Christensen noted that Mr. McCoy arrived at 7:06 p.m.

Mr. Vasko asked if the concrete on the east side of the pool served a structural purpose. Mr. Rauchenstein said no, it is just a patio.

Mr. Vasko asked what is going on the equipment pad. Mr. Rauchenstein stated that it would be the heater, pump, filter, convenience outlet, disconnects and switches. Mr. Vasko then asked if it was covered. Mr. Rauchenstein stated no it is an open slab.

Mr. McCoy asked if there was any landscaping going in between the concrete and existing fence. Mr. Rauchenstein stated he did not think so.

Mr. Christensen opened the floor to public comment. There was none.

Mr. Vasko made a motion to close the public hearing. Mr. McCoy seconded the motion. The motion passed unanimously.

Mr. McCoy stated that he did not have a problem with the application.

Mr. Vasko said that he would like to see some screening around the equipment slab. Mr. McCoy stated that it would make it very difficult to care for the pool because you are in the equipment daily to up keep the pool.

Mr. McCoy made a motion to approve application VA-07-08 as presented. Mr. Graber seconded the motion. The motion passed unanimously.

Application #VA-07-07 & FSP-07-02 The property owners are Canal Pointe LLC and the Village of Canal Winchester, located on the south side of Howe Industrial Parkway at the corner of the future Rutherford Drive. The applicant, Christopher John of Dublin Building Systems, is requesting a variance to Section 1185.03 of the Zoning Code regarding minimum parking space and a Final Site plan for a 20,000 square foot manufacturing facility and office. Allan Neimayer, Planning and Zoning Administrator, gave the staff report and answered questions from the Commission. Rich Irelan of DBS and Kevin Murphy, owner of AK Athletic, were present to answer questions from the Commission.

There was a discussion on the stress points of the trailers and cabs on the pavement. Mr. Irelan agreed to put in fifty-five foot of heavy duty concrete to help with the stress on the pavement.

Mr. Irelan reviewed the elevation changes to the building. Mr. Irelan said that they agree with the landscaping comments, move the trees and change the species. He also stated that if they do not have to do the parking lot on the south side, then they should not have to screen it. The future parking lot that is referenced will be screened. His concern is if they put the screening up now, when they go to build the other parking lot they will disturb the screening and at this time there is nothing there to screen. He asked if they could put that screen up at the time when the parking lot is expanded.

Mr. Vasko asked if the curbs were extruded? Mr. Irelan said that yes it is extruded curbs in the parking areas. At the sidewalk it will be full depth. A discussion ensued about the extruded curbs. Mr. Vasko stated that he is not in favor of extruded curbs. Mr. McCoy said that the regulations need to be changed to reflect that they do want extruded curbs.

Mr. Christensen opened the floor to public comment.

Jeffery Bond, 36 Washington Street. Mr. Christensen administered him the oath since he was not present when the Public Oath was administered. Mr. Bond apologized for being late. He spoke on that there is nothing on the south side of the building – no features or landscaping. He does not agree with installing extruded curbs.

Mr. Vasko made a motion to close the public hearing. Ms. Solomon seconded the motion. The motion passed unanimously.

The commission discussed the number of handicap parking spaces required.

Mr. Vasko stated that he agreed with Mr. Bond, that nothing is being done with the south side of the building.

Mr. McCoy asked how long will it be until Rutherford Drive is completed? Chris Strayer, Development Director, said he did not know that it is still in negotiations with DBS. At the earliest it will be this summer; the latest will be next year.

Mr. McCoy asked if the applicant would add the second access when Rutherford Drive is built. Mr. Murphy stated that yes he will add that second access as it would advantageous for him to do so. But, he wants to wait until the road is built. Mr. McCoy suggested that AK Athletic have one year to put in screening after Rutherford Drive is built.

Mr. McCoy made a motion to approve application #VA-07-07 with the following conditions:

1. The property owner shall construct the 5 additional parking spaces upon receiving written notice from the Planning and Zoning Administrator who shall determine the future need of those parking spaces. The Planning and Zoning Administrator may consult with other village officials and/or the Commission in making said determination.
2. At the time of constructing the 5 additional parking spaces, the required landscape screening per Chapter 1191 shall be installed.
3. Once Rutherford Drive is completed the applicant must install drive and landscaping within one year.

Mr. Vasko seconded the motion. The motion passed unanimously.

Mr. Vasko made a motion to approve application #FSP-07-02 with the following conditions.

1. Legislation approved by Village Council authorizing the sale of the village owned 0.51-acre parcel (PID #0420376300), and the completion of that transaction through the Canal Winchester Industry and Commerce Corporation.
2. The property owner or applicant shall file a lot split and combination (minor subdivision) application for review and approval before the final site plan is stamped approved by the Planning and Zoning Administrator.
3. The engineering construction plans are approved by the Technical Review Group.
4. The landscaping plan is revised per comments from the Urban Forester.
5. The loading space (reinforced pavement) area is increased in length per Section 1185.06.
6. A separate site plan application will have to be filed for review and approval by the Commission for the 5,000 sq. ft. expansion.
7. The above conditions shall be complied with before the final site plan is stamped approved by the Planning and Zoning Administrator.

Mr. Graber seconded the motion. The motion passed unanimously.

Mr. Vasko made a motion to amend the motion to approve application #FSP-07-02 to add item number eight to the conditions:

8. Instead of an extruded curb that all curbs to be an eighteen inch straight curb.

Mr. Graber seconded the motion. Voting for the amendment was Mr. Vasko. Voting against the amendment were Mr. Graber, Mr. Christensen, Ms. Solomon and Mr. McCoy. The motion to add condition 8 failed 1-4.

Mr. Christensen then called for the vote on the original motion. The original motion passed unanimously.

Application #VA-07-09 The property owner is Winchester Square LLC (aka Casto), located at 6482 Winchester Blvd. The applicant, Swan Cleaners, is requesting a variance to the Winchester Square development text regarding the size and number of wall signs. Mr. Dutton gave the staff report and answered questions from the Commission.

Jill Tangeman, attorney representing Swan Cleaners, was present to answer questions from the Commission. She stated she have the approval from Casto (property owner), and handed it out to the Commission. She believes that special circumstances do exist to warrant a second sign. Kroger has been granted special privileges and already has a secondary wall sign. They should be granted the same that other properties have signage on all elevations of their buildings. Ms. Tangeman also believes that another special circumstance is that the original configuration of the shopping center, in regards to traffic patterns, has changed with removal the light at West Waterloo Street and Gender Road. She stated that they would remove the signage on the front (north side) elevation and drive thru sign on the east elevation.

Mr. Christensen opened the floor to public comment.

Jeffery Bond, 36 Washington Street, said he believes there is too much signage already. He stated that he understood that the Kroger sign would be gone, that it is only temporary.

Mr. Vasko made a motion to close the public hearing. Mr. Graber seconded the motion. The motion passed unanimously.

Mr. McCoy agreed that there is too much signage at the location already. Ms. Solomon agreed that the store is hard to find. Mr. Vasko said that a sign would improve how the east side of the building looks. Mr. Christensen stated that he would rather the sign say "Winchester Square".

Mr. McCoy made a motion to approve application #VA-07-09 as amended at the meeting by the applicant (removal of existing "Drive Thru" sign on the east elevation and the signage on the front (north) elevation. Mr. Graber seconded the motion. Voting for the motion was Mr. Vasko. Voting against the motion were Mr. Christensen, Mr. Graber, Mr. McCoy and Ms. Solomon. The motion was defeated 1-4.

Application #ZA-07-01 Zoning Code Amendments to Chapters 1141, 1143, 1145 and 1147, initiated by the Planning and Zoning Commission. The proposed amendments deal with the filing requirements and review process for site plans, variances, conditional uses and

amendments. Mr. Neimayer outlined the changes to the amendments requested at the May meeting.

Mr. Christensen opened the floor to public comment.

Jeffery Bond, 36 Washington Street, stated that the updates are good, but developers will try to get around them.

Mr. Vasko made a motion to close the public hearing. Mr. McCoy seconded the motion. The motion passed unanimously.

Mr. Vasko made a motion to forward Application #ZA-07-01 on the purposed Zoning Code amendments to Council with the recommendation to adopt the amendments as presented in the May 14, 2007 draft. Ms. Solomon seconded the motion. The motion passed unanimously.

Applications #ZA-07-02 The property owner and applicant is the Village of Canal Winchester, located on the east side of Diley Road, south of Dove Parkway. The Village of Canal Winchester is requesting a Zoning Amendment to change the zoning of the properties from Exceptional Use (EU) to Planned Industrial District (PID). Mr. Neimayer outlined the requested changes.

Mr. Christensen opened the floor to public comment.

There was none.

Mr. McCoy made a motion to close the public hearing. Mr. Graber seconded the motion. The motion passed unanimously.

Mr. McCoy made a motion to forward Application #ZA-07-02 on the purposed zoning map amendment to Council with the recommendation to adopt the amendment as presented. Ms. Solomon seconded the motion. The motion passed unanimously.

(NOTE: The April 9 and April 18 minutes were approved at this time.)

Old Business There was none.

New Business There was none.

Planning and Zoning Administrator's Report

1. Mr. Neimayer informed the Commission of a letter from Roger Peacock sent to Mayor Miller and Council regarding a request to a change in sign regulations.
2. Mr. Neimayer informed the Commission of an amendment to the floodplain regulations as a result of FEMA's mapping update project. The Commission agreed to initiate the required amendment and to schedule a public hearing for the June 11 meeting.
3. Mr. Neimayer gave the commission information on a Conservation Seminar he and Mr. Dutton recently attended.

4. Mr. Neimayer discussed with the Commission the possible rezoning on 176 West Waterloo Street from residential to commercial as there has been an inquiry in doing this. Mr. McCoy stated that he does not like the change to commercial in the Old Town corridors. Mr. Vasko said that it used to be a dry cleaners and he is okay with the rezoning. Mr. Neimayer gave his thoughts on the re-zoning. Mr. Christensen asked about "Home Occupation". Mr. Neimayer will pass on the Commission's comments.

Adjournment

Mr. Vasko made a motion to adjourn this regular meeting of the Planning and Zoning Commission. Mr. Graber seconded the motion. The motion passed unanimously.

Time Out: 9:04 p.m.

Date _____

Bill Christensen, Chairman

Mike Vasko, Secretary